UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,441	12/31/2003	Andrey I. Savov	66329/00167	1767

23380 7590 02/27/2007	EXAMINER
TUCKER, ELLIS & WEST LLP	KENDALL, CHUCK O
1150 HUNTINGTON BUILDING	

	ART UNIT	PAPER NUMBER
925 EUCLID AVENUE	2192	
CLEVELAND, OH 44115-1414		

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 December 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This is in response to Application filed 12/31/03.

2.   Claims 1 – 28 have been examined.

Claims Objections

3   Claims 7, 14, 21 and 28 contains the trademark/trade name Java. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a native interface and, accordingly, the identification/description is indefinite.

Specification

4.   The use of the trademark java has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

6.   Claims 1 – 28 are rejected under 35 U.S.C. 102(e) as being anticipated by

DeMaster USPN 6,066,181.

Regarding claims 1 and 22, a system for object-to-object mapping between an

operating environment and native processor language comprising:

a memory, the memory including a first memory portion storing an application

inclusive of at least one application side object description, which at least one object

description is compatible computer language associated with the application, wherein

each application side object includes associated application side identification data

(5:40 – 60);

a second memory portion of the memory, the second memory portion storing

executable code in a format native to a selected processor, which executable code

includes at least one native side object description, wherein each native side object
description includes associated native side identification data (5:40 – 60);

an object map means adapted for mapping between the at least one application
side object description and the native side object description, the object map including
means adapted for associating application side identification data with native side
identification data (5:40 – 60, see mapping the native interface definition);

a class identifier for identifying a class associated with the at least one
application side object description and the at least one native side object description
(4:65 – 5:10); and

a class loader for loading a native class factory for instantiation of objects
associated with an identified class (4:65 – 5:10).

Regarding claims 2 and 23, the system for object-to-object mapping between an
operating environment and native processor language of Claim 1, further comprising:

means adapted for determining a presence of the at least one application side
object (4:40 – 50, see IDL specifies a components attributes); and

means adapted for initiating the class loader in accordance with a determined
presence of the at least one application side object (4:65 – 5:10).

Regarding claims 3 and 24, the system for object-to-object mapping between an
operating environment and native processor language of Claim 2, further comprising:

class factory testing means adapted for testing whether a class factory is still required after a load thereof (5:50 – 65, shows where the gethandle <u>obtains a pointer</u> which is associated with the Jstruct object and which frees the allocated/loaded native object, Examiner interprets the pointer as being able to indicate whether the object is required); and

means adapted for selectively unloading a native class factory in accordance with an output of the class factory testing means (5:50 – 65, see frees the allocated/loaded native object, i.e., unloading).

Regarding claims 4 and 25, the system for object-to-object mapping between an operating environment and native processor language of Claim 2, further comprising:

object testing means adapted for testing whether a native side object description is out of a pre-selected scope (11:62 – 67, see is no longer a reference to the Jstruct object); and

garbage collection means adapted for removing references to a native side object in accordance with an output of the object testing means (12:13 – 20).

Regarding claims 5 and 26, the system for object-to-object mapping between an operating environment and native processor language of Claim 4 further comprising means adapted for periodically enabling operation of the garbage collection means (10:59 – 67).

Regarding claims 6 and 27, the system for object-to-object mapping between an operating environment and native processor language of Claim 5 wherein the means for periodically enabling operation of the garbage collection means is periodically enabled on a pre-selected iteration (10:59 – 67).

Regarding claims 7 and 28, the system for object-to-object mapping between an operating environment and native processor language of Claim 3 wherein the associated native side identification data includes an object pointer, and wherein the associated application side identification data a j object of a JAVA native interface (4:40 – 50).

Regarding claim 8, the method version of claim 1, see rationale above as previously addressed.

Regarding claim 9, the method version of claim 2, see rationale above as previously addressed.

Regarding claim 10, the method version of claim 3, see rationale above as previously addressed.

Regarding claim 11, the method version of claim 4, see rationale above as previously addressed.

Regarding claim 12, the method version of claim 5, see rationale above as previously addressed.

Regarding claim 13, the method version of claim 6, see rationale above as previously addressed..

Regarding claim 14, the method version of claim 7, see rationale above as previously addressed.

Regarding claim 15, the computer readable medium version of claim 1, see rationale above as previously addressed.

Regarding claim 16, the computer readable medium version of claim 2, see rationale above as previously addressed.

Regarding claim 17, the computer readable medium version of claim 3, see rationale above as previously addressed.

Regarding claim 18, the computer readable medium version of claim 4, see rationale above as previously addressed.

Regarding claim 19, the computer readable medium version of claim 5, see rationale above as previously addressed.

Regarding claim 20, the computer readable medium version of claim 6, see rationale above as previously addressed.

Regarding claim 21, the computer readable medium version of claim 7, see rationale above as previously addressed.
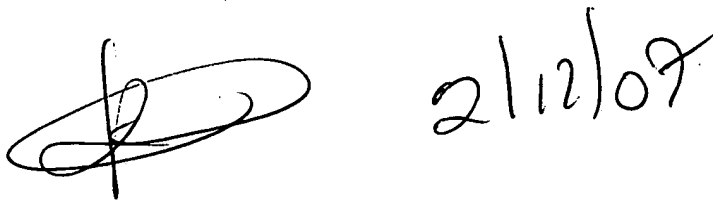

Correspondence information

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ck.